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5 Attorneys for USACM Liquidating Trust

6 **UNITED STATES BANKRUPTCY COURT**  
 7 **DISTRICT OF NEVADA**

8 In re:

9 **USA COMMERCIAL MORTGAGE**  
 10 **COMPANY,**

11 **Debtor.**

Case No. BK-S-06-10725-LBR

CHAPTER 11

**NOTICE OF HEARING RE  
 OBJECTION OF USACM  
 LIQUIDATING TRUST TO LEWIS  
 H. FINE AN ARLENE J. FINE  
 PROOF OF CLAIM NO. 10725-01531-  
 1 IN THE AMOUNT OF \$80,000.00  
 AND CERTIFICATE OF SERVICE**

14 Date of Hearing: October 18, 2011

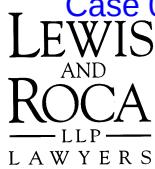
15 Time of Hearing: 1:30 p.m.

16 Estimated Time for Hearing: 10 minutes

17 **THE USACM LIQUIDATING TRUST IS OBJECTING TO A CLAIM THAT**  
 18 **YOU FILED. THE USACM TRUST SEEKS TO DISALLOW CLAIM**  
 19 **NO. 10725-01208 IN PART.**

20 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**  
 21 **COURT TO DISCUSS THE MERITS OF YOUR CLAIM. ADDRESS QUESTIONS**  
 22 **REGARDING THE CLAIM TO UNDERSIGNED COUNSEL, JOHN**  
 23 **HINDERAKER (520-629-4430).**

24 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
 25 through its counsel, has filed its Objection to Proof of Claim No. 10725-01531-1 filed by  
 26 Lewis H. Fine and Arlene J. Fine (with Certificate of Service) (the "Objection"). The first  
 page of your Proof of Claim as required by Nevada LR 3007, is attached to the Objection



1 as **Exhibit A**. The USACM Liquidating Trust has requested that this Court enter an order,  
2 pursuant to section 502 of title 11 of the United States Code (the “Bankruptcy Code”) and  
3 Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), to  
4 disallow in part your Proof of Claim.

5 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
6 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
7 Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
8 **October 18, 2011, at the hour of 1:30 p.m.**

9 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON**  
10 **OCTOBER 18, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS**  
11 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**  
12 **ARGUMENTS WILL BE HEARD ON THAT DATE.**

13 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any  
14 response to the objection must be filed and service must be completed no later than  
15 **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant  
16 facts and any relevant legal authority.

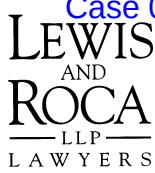
17 If you object to the relief requested, you *must* file a **WRITTEN** response to this  
18 pleading with the Court. You *must* also serve your written response on the person who  
19 sent you this notice.

20 If you do not file a written response with the Court, or if you do not serve your  
21 written response on the person who sent you this notice, then:

- 22
- 23 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
  - 24 • The Court may *rule against you* and sustain the objection without formally  
calling the matter at the hearing.

25

26



1 DATED this 17th day of September, 2011.

2 LEWIS AND ROCA LLP

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4 By /s/ John Hinderaker (#18024)  
5 Robert M. Charles Jr. NV 6593  
6 John C. Hinderaker, AZ 18024 (*pro hac vice*)  
7 3993 Howard Hughes Parkway, Suite 600  
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12 *Attorneys for the USACM Liquidating Trust*

13 Copy of the foregoing  
14 mailed by first class postage prepaid on  
15 September 17, 2011 to:

16 Lewis H. Fine and Arlene J. Fine  
17 P.O. Box 598  
18 Heber City, UT 84032

19 LEWIS AND ROCA LLP

20 /s/Renee L. Creswell  
21 Renee L. Creswell

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23

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